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**Eastern
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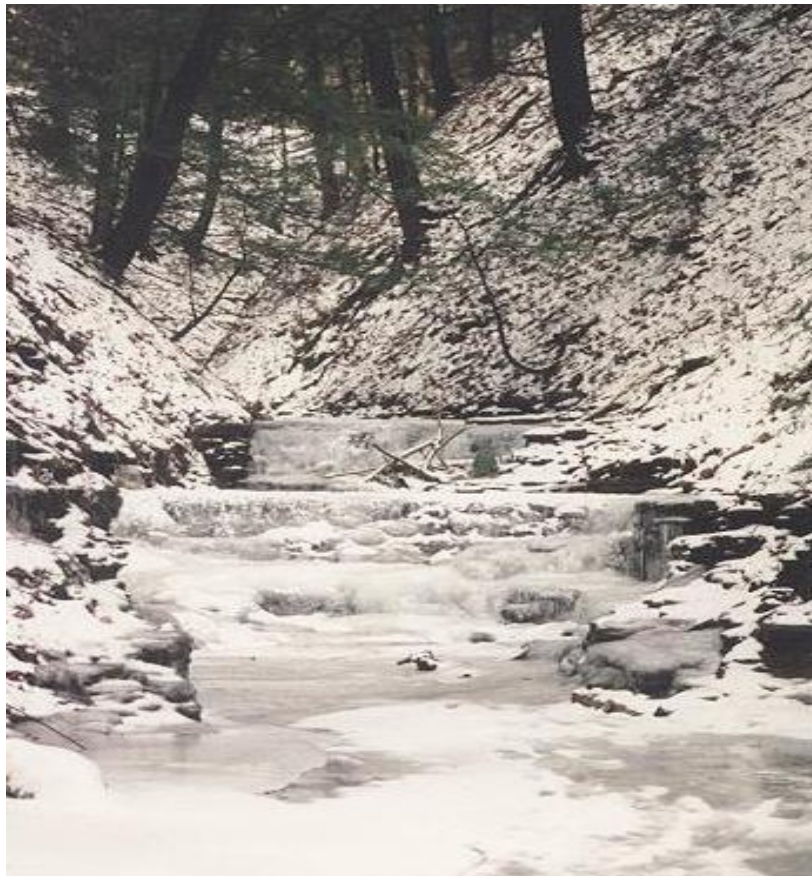
April 2006



Finger Lakes National Forest

Record of Decision **Final Environmental Impact Statement**

**To Accompany the
Land and Resource Management Plan**



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Record of Decision

Final Environmental Impact Statement to accompany the Land and Resource Management Plan

Finger Lakes National Forest

Eastern Region
Milwaukee, Wisconsin
April 2006

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"In the administration of the forest reserves, it must be clearly borne in mind that all land is to be devoted to its most productive use for the permanent good of the whole people, and...[W]here conflicting interests must be reconciled the question will always be decided from the standpoint of the greatest good of the greatest number in the long run."

- Gifford Pinchot, First Chief of the USDA Forest Service, 1905

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RECORD OF DECISION

Preface

This Record of Decision (ROD) describes my decision to select Alternative 3 Modified as the Finger Lakes National Forest (FLNF) 2006 Land and Resource Management Plan (2006 Forest Plan). The ROD also explains my reasons for making changes to the 1987 Forest Plan. I have reviewed the range of alternatives, considered public input, and reviewed the evaluation of the alternatives as documented in the Final Environmental Impact Statement (EIS). Alternative 3 as described in the Draft EIS was modified to create the selected alternative. The changes for Alternative 3 Modified were based on public comments received during the three-month comment period, new information, and further investigation and analysis by Forest Service staff.

Although I am the final decision maker, I have not reached this decision alone. The staff of the FLNF considered 583 comment letters and 138 substantive comments during the development of the 2006 Forest Plan. Many citizens talked with members of the planning team during meetings held throughout the planning process. Meaningful collaboration with local governments, state, and federal agencies, and various interest groups provided valuable contributions to the revision effort. This decision is the result of the positive and productive relationships that evolved during the planning process and the important contributions from all who participated. We have listened to the public and it has shaped the 2006 Forest Plan.

I want to take this opportunity to sincerely thank all those who worked closely with Forest Service staff throughout the planning process. You helped us identify issues, identify the need for change, and develop alternatives. In addition, your comments on the Draft EIS and Proposed Revised Forest Plan led us to make many important changes for the final documents. Your interest and participation will continue to be important as we implement, monitor, and update the 2006 Forest Plan in the years to come. We are very aware that the FLNF does not exist in isolation. The FLNF is one part of larger State and regional landscapes, and our management actions affect surrounding communities and ecosystems. This is all the more reason we value the breadth of input you have provided.

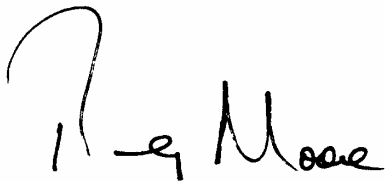
Developing a Forest Plan that is supported by most members of the public is not easy. The Finger Lakes National Forest provides different uses to many people and those people often have divergent values and views on how to manage public lands. The Forest includes some of New York's beautiful landscapes, which contribute to tourism, recreational opportunities, and the quality of life for individuals and communities. The Forest is ecologically diverse, providing a home for many native plants, animals, natural communities, and water resources, as well as both softwood and hardwood forests which provide important wood products to society.

The 2006 Forest Plan is the result of a comprehensive evaluation of the 1987 Forest Plan, an examination of the best available scientific information, and extensive public involvement including an in-depth notice and comment process. The revision process has taken more than four years and has been the focus of an interdisciplinary team comprised of natural resource specialists and planners. My role, as well as the role of the FLNF Forest Supervisor, has been to guide the process, listen to the public, facilitate collaboration, ensure the integrity of the analysis, and make important decisions throughout the process.

My decision establishes a Forest Plan that, I believe, emphasizes benefits that are most important to agencies, groups, and individuals. Together, we have crafted a Forest Plan that provides a scientifically credible foundation for the contribution of the FLNF to the ecological, social, and economic sustainability of New York over the long-term. Development of future project decisions consistent with the 2006 Forest Plan will result in a sustainable supply of goods and services from the FLNF while conserving the natural resources of the area for future generations. This decision will sustain the Forest's resources and strikes a reasonable balance among the complex demands expressed by a wide variety of people, groups, and organizations.

Our work is not done. Regular monitoring and evaluation of implementation activities will ensure the 2006 Forest Plan is kept current. Changes in society's needs and values, along with emerging science, may necessitate amendments to the 2006 Forest Plan. The challenge that remains before all of us is to continue to work together to implement this Forest Plan. I fully understand this can sometimes be difficult, but I am confident that cooperation and continued collaboration will unite us. I believe we share the common goal that these lands remain productive, ecologically healthy, and beautiful for both the current and future generations.

I thank you again for your support, participation, and patience throughout this process. I encourage your continued partnership in helping implement the 2006 Forest Plan and in keeping it relevant.

A handwritten signature in black ink, appearing to read "Randy Moore". The signature is fluid and cursive, with the first name "Randy" written in a larger, more prominent script than the last name "Moore".

RANDY MOORE
Regional Forester

Introduction

The Finger Lakes National Forest (FLNF) 2006 Forest Plan is a 10 to 15 year strategy for managing national forest resources. It was developed in accordance with the National Forest Management Act (16 U.S.C.1604, et seq.). As provided by the 2005 planning rule (36 CFR 219.14), the planning procedures of the 1982 planning rule were used to complete the plan revision. The 2006 Forest Plan outlines environmentally sound management to achieve desired conditions on the land and produce goods and services in a way that maximizes long-term net public benefits. The 2006 Forest Plan emphasizes different desired conditions and goals for various parts of the Forest. As we develop site-specific projects consistent with the 2006 Forest Plan, management practices such as those needed to enhance wildlife habitat, improve recreational facilities and trails, harvest timber, provide grasslands for grazing, and restore streams will occur in some areas, but not in others. We intend to achieve multiple-use goals and objectives in a balanced, cost-efficient, and sustainable manner.

This 2006 Forest Plan replaces the 1987 Forest Plan for the FLNF. It provides an integrated, programmatic framework for environmentally sound management based on the best available scientific information. The 2006 Forest Plan will be amended or revised as necessary to respond to changed conditions, new information, and congressional designations, as well as changing needs and opportunities. Any action taken to amend or revise the Plan will include public involvement.

The following key decisions are made with the 2006 Forest Plan:

1. Forest-wide multiple-use goals and objectives
2. Forest-wide management requirements (such as standards and guidelines)
3. Management area direction
4. Lands suited and not suited for timber production and establishment of an allowable sale quantity
5. Monitoring and evaluation requirements
6. Recommendations to the Congress (such as for wilderness designations)
7. Lands suited and not suited for grazing and browsing (36 CFR 219.20)

The goals and desired conditions in the 2006 Forest Plan can be achieved from a physical, ecological, economical, and legal perspective. Management practices will be implemented and outputs produced as the Forest Service strives to establish or maintain the desired conditions called for in the 2006 Forest Plan, although there is no assurance that the outputs will actually occur at the projected level.

The standards contained in the FLNF 2006 Forest Plan set parameters within which projects must take place. Projects must be consistent with the Plan (16 U.S.C.1604(i)). If a project cannot be implemented in accordance with the standards included in the 2006 Forest Plan, the project cannot go forward unless the project is modified or the Plan is amended. Guidelines will generally be followed, but where deviations from guidelines are needed, we will not necessarily amend the plan, but will discuss the rationale for deviation as part of the site-specific project analysis.

The 2006 Forest Plan is permissive in that it allows, but does not mandate, projects and activities. Projects occur only after they are proposed, their environmental effects considered, and a decision is made authorizing site-specific action. Site-specific environmental analysis that occurs for each project will be tiered to the Final Environmental Impact Statement (EIS) for the 2006 Forest Plan, pursuant to 40 CFR 1508.28. There is one final agency decision being made with this plan. That is the restriction of horseback riding to pastures and designated trails and bicycling to designated trails. Implementation of that decision will require no further site-specific analysis (see further discussion in the section of this Record of Decision on Implementation, Monitoring and Evaluation).

While the resource information used to develop the 2006 Forest Plan may not be as comprehensive as some would desire, we have sought out and used the best scientific information available that is relevant to this programmatic decision. I am confident that the information used here is of high quality and adequate to make a fully informed decision.

In summary, the 2006 Forest Plan establishes a programmatic framework for future multiple-use management and provides a framework for future decision-making. The Final EIS discloses the differences in the potential environmental consequences of implementing each alternative and how these alternatives respond to issues and concerns. The Final EIS discusses broad environmental effects and establishes a useful reference that can be tiered to for compliance with environmental laws at the site-specific project level. The level of effects disclosure is commensurate with the nature of this programmatic decision. Detailed analysis of specific environmental effects is not required when the agency has not proposed a specific project that may cause the effects. With the exception of the limitation on equestrian and bicycle use, approval of this 2006 Forest Plan does not make any on-the-ground changes, nor dictate that any particular site-specific action must occur.

The Forest

The FLNF encompasses more than 16,000 acres in central New York, forming the only National Forest in the State. The lands making up the FLNF were first purchased by the federal government in 1934 and administered by the Soil Conservation Service as the Hector Land Use Area until 1954, when management was transferred to the Forest Service. The Finger Lakes National Forest became the newest National Forest when it was officially designated in 1985.

The Forest is situated along a ridge that separates the two largest Finger Lakes, Seneca and Cayuga. This landscape is characterized by long, narrow lakes and broad ridges dotted by pastoral farms, vineyards, pastures, and woodlands. Narrow ravines, wetlands, and ponds provide valuable riparian habitat for plants and animals. The Forest is an attraction for both nearby residents and visitors. The FLNF demonstrates a multiple-use ethic by providing ecological and science-based forest stewardship, clean water, wildlife habitat, forest products, range, recreation, contributions to the local economy, and opportunities for environmental education.

This region has had a long and rich history. It was first home to the Seneca and Cayuga nations, who occupied villages along Seneca and Cayuga Lakes and managed the flatter lands for corn and other field crops, as well as apple and peach orchards. Woodlands near villages and along the Iroquois road east of Seneca Lake were often burned, probably to clear brush and drive deer. These two nations were members of the Iroquois Confederacy until 1779 when General Sullivan removed them from the area for their allegiance to the British during the Revolutionary War. During the 1800s, native forests were cleared and replaced by farms and mills, but between 1890 and the Great Depression economic hardships and soil nutrient depletion contributed to widespread abandonment of farms throughout the region. Between 1938 and 1941 more than 100 farms in the area now known as the FLNF were sold to the federal government, mostly through the Resettlement Administration. Members of

the Civilian Conservation Corps planted many conifer plantations in the late 1930s to help reforest the abandoned farms while in other areas, the native forest gradually returned.

Located within a day's drive of major cities such as New York, Buffalo, Toronto, and Albany, the FLNF is a destination for visitors seeking a variety of recreational opportunities. The Forest includes a portion of one nationally designated trail (the North Country National Scenic Trail) and has 38 miles of multiple-use trails available for hiking, cross-country skiing, snowmobiling, horseback riding, and bicycling. The Forest includes a variety of species of plants and animals. Northern hardwoods, softwoods, rare and unique plants, fish, birds, and numerous animals of all sizes are also part of the attraction for visitors.

The FLNF contributes to the area's overall economy through employment and program spending. Grazing and timber harvest receipts provide revenue to local counties. The recreation programs provide benefit to the tourism industry in the area. The region also benefits from National Forest System lands through values that are associated with the existence of public lands in an area, supporting hunting and other recreational opportunities, and providing open space, wildlife habitats, clean water, and beautiful scenery.

A Vision for the Future

The ecology of the FLNF is unique, providing a transitional zone between the northern hardwoods of New England and the central hardwoods of Pennsylvania. Opportunities that are not generally available on other public and private lands are present on the FLNF. The Forest's resources are managed to ensure that their social and economic values to the region benefit both present and future generations. Resources on the FLNF are managed to conserve, protect, and produce what is desired by the public: areas of native older forests, clean water, diverse wildlife habitats, quality recreation, forage for livestock, and wood products. The public's desire to keep things natural and wild is balanced with the need to provide for human uses and to restore ecological conditions on the Forest. Native ecosystems and ecological processes that have been historically degraded or lost are restored, contributing to healthy, diverse, and resilient ecosystems.

The mosaic of forested and grassland ecosystems that will be maintained or restored across the landscape include natural communities in early, mid, and late successional states. The assortment of healthy ecosystems contributes to species viability and enhances biological diversity. Habitats for rare species are preserved and enhanced. The ecological processes necessary to maintain the Forest's biological diversity are functioning across the landscape. Populations of native and desired non-native species of plants and animals thrive and offer opportunities for viewing, hunting, and fishing.

The FLNF is enjoyed for a wide range of high-quality recreational opportunities, forest scenery, and an extensive trail network. The Forest provides a diversity of recreational opportunities, including semi-primitive settings. The Forest continues to provide opportunities for many recreational activities, including hiking, cross-country skiing, bicycling, horseback riding, camping in developed and dispersed areas, driving for pleasure, riding winter motorized vehicles, fishing, hunting, wildlife watching, and interpreting natural and cultural resources. Facilities, transportation networks, and trails are maintained to provide public access and safe travel.

The areas identified for future old forests develop old-growth characteristics over time and provide opportunities for solitude and exploration. These opportunities become more important as populations around the Forest grow.

A large proportion of grasslands continue to be maintained through the use of sustainable grazing practices. The Forest Service continues to work with the local grazing association and other interested groups to maintain or improve range conditions and provide habitat for grassland dependent plants and animals. Stock ponds and riparian areas are managed to meet soil and water quality standards.

The Forest continues to provide high-quality hardwood and softwood sawtimber, as well as other forest products, primarily for local and regional markets. Sustainable forestry activities occur on approximately one-third of the Forest in a manner that is compatible with other resource and recreation objectives. Commercial timber harvesting activities play a key role in creating greater diversity in forest age classes, vegetation composition, and wildlife habitats.

Water quality, aquatic habitats, and soil productivity are maintained and enhanced through restoration activities and adherence to best management practices. Water resources support a variety of uses, and watersheds maintain their natural hydrologic function. The long-term productivity of the Forest is sustained.

Stewardship of the FLNF continues to be a collaborative effort among local communities, Forest users, private sector entities, non-profit partners, and other government agencies. Many programs, facilities, and services that contribute to local and regional economies and the quality of life are developed and implemented through partnerships, volunteer programs, cooperative agreements, and donations. Educational and interpretive programs continue to inform local communities and Forest users about natural and cultural history, land conservation, and multiple-use issues.

Educational institutions, government agencies, and other entities continue to assist in research activities on the Forest. An ongoing monitoring and evaluation program continues and focuses on how well the 2006 Forest Plan goals and objectives are achieved. Monitoring efforts: identify the effects of management actions; evaluate how well the effects match the anticipated results; identify new information; and determine necessary changes to the 2006 Forest Plan.



Potomac Pond

Decision and Rationale

Need for Change

The current FLNF Forest Plan was approved in 1987 and has been updated through four amendments over the past 19 years. There were three primary reasons to revise the 1987 Forest Plan:

1. It has been more than 15 years since the Regional Forester approved the 1987 Forest Plan.
2. Agency goals and objectives, along with other national guidance for strategic plans and programs, had changed.
3. New issues and trends had been identified that suggested the need to change the management goals, management areas, standards, guidelines, and monitoring and evaluation strategy in the Plan.

A critical element in identifying the most important areas needing change came through a series of public planning meetings in 1996 and 1997. The areas identified as needing change in 1996 and 1997 were verified through another set of public meetings in 2002 before the Notice of Intent to revise the Forest Plan was published in 2002.

The 15-Year Retrospective, a comprehensive analysis of the management situation, was published in 2002. The findings of this assessment as well as the issues identified by the public led to the proposal to revise the plan as described in the Notice of Intent published in May of 2002.

The 15-Year Retrospective and the comments received on the Notice of Intent led to the development of issues associated with revising the 1987 Forest Plan. Chapter 1 of the Final EIS describes the following key revision issues as those that were deemed major enough to require consideration of varied approaches in alternatives for the Revised Forest Plan, and where the most far-reaching changes needed to be considered:

- Biodiversity and Ecosystems Management includes providing for desired mixes of plant and animal species populations, natural communities, vegetation composition and age classes, wildlife habitats, and landscape patterns. This key issue also includes contributing to habitat needed to ensure viable populations of native and desired non-native plant and animal populations.
- Recreation Management includes determining the appropriate mix of primitive dispersed-use opportunities, more developed higher density opportunities, and non-motorized and motorized trail use opportunities.
- Timber Management includes determining an appropriate level for timber harvesting, determining the role of timber harvesting, and establishing treatment methods for vegetation management.

We reviewed all sections of the 1987 Forest Plan and determined that many aspects of the Plan were working well and did not need substantial revision. The parts of the 1987 Forest Plan that did not need to be changed are incorporated into the 2006 Forest Plan.

Decision Overview

I have selected a modified version of Alternative 3 (Alternative 3 Modified) as the FLNF 2006 Forest Plan. Alternative 3 from the Draft EIS was modified based on public comments, new information, and further investigation and analysis by Forest Service staff.

I chose Alternative 3 Modified because, in my judgment, it maximizes the net benefit to the public by:

- Restoring, enhancing, or maintaining ecological conditions that will sustain biological diversity, contribute to species viability, and promote the long-term health of the Forest
- Increasing the Forest's capability to provide diverse, high-quality recreation opportunities
- Contributing to the economic and social needs of people, cultures, and communities
- Providing sustainable and predictable levels of products and services
- Recognizing the relationship of the FLNF to other public and private lands in the area
- Emphasizing an adaptive management approach
- Providing consistent direction to assist managers in making the project-level decisions that will implement the broader social, economic, and ecological goals of this revised Plan

I used six primary criteria for evaluating the alternatives.

Criterion 1: The extent to which the alternative contributes to ecological, social, and economic sustainability by providing desired values, products, and services.

Criterion 2: The extent to which the alternative contributes to the FLNF's capability to maintain, restore, and enhance the quality, amount, and distribution of habitats to contribute to viable and sustainable populations of native and desirable non-native plants and animals.

Criterion 3: The extent to which the alternative contributes to maintaining or restoring ecological processes and systems within desired ranges of variability, including a variety of native vegetation and stream channel types, and their patterns and structural components.

Criterion 4: The extent to which the alternative improves the capability to provide a diverse range of high-quality, sustainable recreation opportunities that complement those provided off National Forest System lands.

Criterion 5: The extent to which the alternative provides for sustainable grazing opportunities.

Criterion 6: The extent to which the alternative provides for a sustainable supply of forest products while also providing for other resource benefits.

Key indicators of these criteria are displayed and discussed in Chapter 2 of the Final EIS. Further information about how I applied these criteria is in the section "Alternatives Considered in Detail" starting on page 27 of this Record of Decision.

My decision also considered how the alternatives addressed public comments, concerns of Forest Service staff, and national direction and policy. My decision to select Alternative 3 Modified as the 2006 Forest Plan was made in consideration of the analysis of effects disclosed in the Final EIS, concurrence of the US Fish and Wildlife Service with the findings of the Biological Assessment, and is supported by the planning record in its entirety.

This decision applies only to National Forest System land within the boundaries of the FLNF. It does not apply to any other federal, State, county, municipal, or private lands. In making my decision, however, I considered how likely future management of other ownerships might combine with environmental effects resulting from the management of the FLNF.

The Final EIS documents the analysis of three alternatives with different outcomes and with varying management area (MA) allocations. These alternatives represent various ways of addressing Forest Plan revision issues. Each alternative meets the intent of relevant laws, including the Multiple-Use Sustained Yield Act, under which the national forests are managed. The 2006 Forest Plan allocates National Forest System land in the following manner (Table 1):

Table 1 – Management Area Allocations for the FLNF 2006 Forest Plan

Management Area (MA)	Alternative 3 Modified	
	Acres	% of National Forest System Lands
Grassland for Grazing	5,250	32%
Grassland for Wildlife	688	4%
Shrubland	1,421	9%
Northern Hardwood	2,189	13%
Oak Hickory	4,036	25%
Future Old Forest	1,398	9%
North Country National Scenic Trail Special Area	164	1%
Recreation and Education Special Area	218	1%
Research and Candidate Research Natural Areas	544	3%
Ecological Special Areas	531	3%
Total National Forest System Acres	16,439	

Decision Summary and Rationale

I recognize that since the 1987 Forest Plan was completed there have been many changes in our country and the world that ultimately could affect the FLNF. Changes in our understanding of ecological systems and the potential management needs to address new concerns also require us to look beyond national forest borders to ensure we are making the best possible decisions for the future. When developing the 2006 Forest Plan, issues such as non-native invasive species, air quality, forest fragmentation, wildlife habitat, species viability, and new recreational demands required substantial consideration. In addition, we paid close attention to how Forest Service management actions contribute to or complement what is happening on other lands within our sphere of influence. In examining the issues discussed in the Final EIS, I have selected Alternative 3 Modified with the understanding that this selected alternative for the Revised Forest Plan outlines the following approaches relative to the three major issue areas: biodiversity and ecosystem management, recreation management, and timber management.

Biodiversity and Ecosystem Management

The protection of biological diversity through ecosystem management is an important issue addressed through this Plan revision. My decision related to biological diversity and ecosystem management is based on a wealth of scientific information on ecological processes and functions, as well as the most current information about the natural communities found within New York. The programmatic direction of the 2006 Forest Plan will allow for adjustment of the vegetation patterns, forest structure, vegetative composition, and species composition on the Forest over time, resulting in vegetative communities that are healthy, sustainable, diverse, and designed to contribute to the viability of plant and animal species most at risk.

An important change provided in the 2006 Forest Plan is the addition of an objective to manage at least five percent of each ecological type on the FLNF for old growth characteristics as part of an ecological reference area network. This change is intended to conserve representative types of each ecological system in conditions where natural processes dominate. FLNF staff used ecological mapping developed with Cornell University to assist in analyzing alternatives for meeting this objective. Alternative 3 Modified allocates at least five percent of all 14 ecological landtypes and 6 landtype associations found on the Forest to management areas that will have minimal human disturbance.

In the 2006 Forest Plan, 16 percent of the Forest will be managed in a way that allows old growth forest characteristics to develop over time. These lands are referred to as the ecological reference area network and include at least five percent of each ecological type on the FLNF. This percentage includes lands allocated to management areas with minimal human disturbance (15%) and other lands classified as unsuitable for timber production found as inclusions within management areas that otherwise allow for active vegetation management (1%). Much of the land in the ecological reference area network is in a new management area, Future Old Forest, which was developed to address public desires to emphasize the maintenance and restoration of future old forest communities. Changes to forest composition and structure within this new management area will occur primarily through natural processes such as wind, ice storms, fire, and insect and disease outbreaks.

In addition, the 2006 Forest Plan emphasizes the use of sustainable management practices to maintain and restore habitats including mesic hardwood forests, oak hickory forests, native softwood forests, aspen and regenerating forests, grassland and shrubland habitats, wetlands, and permanent upland openings.

The Forest Service received a great deal of public interest and input during Forest Plan revision regarding the concept of managing part of the Forest to emphasize grassland habitats for wildlife species. To address this concern, the Forest Service increased emphasis on the Grassland for Wildlife Management Area by increasing the amount of acres allocated to this MA from 344 acres in the 1987 Plan to 688 acres in the 2006 Forest Plan. This management area was originally developed through an amendment to the 1987 Plan to emphasize the maintenance of grassland habitat for wildlife species. The management area provides unfenced grassland habitat that prohibits livestock grazing. This would minimize potential impacts from grazing activities on nesting and foraging wildlife species and on the composition and structure of grassland vegetation. Four percent (688 acres) of the Forest is allocated to the Grassland for Wildlife Management Area.

In making this decision to provide a component of ungrazed grassland habitat type, a habitat uncommon in the FLNF region, I considered the potential impacts to grazing and the Animal Unit Months (AUMs) production estimate. It should be noted that the allocation of lands to the Grassland for Wildlife MA is not expected to decrease the AUMs from the existing condition. In the 1987 Plan the AUMs were projected to be 11,803, however, the FLNF only realized a production of 9,432 AUMs because some areas allocated for grazing in the 1987 Plan were never grazed. Alternative 3 Modified estimates that grazing will produce 9,510 AUMs, so Alternative 3 Modified is expected to maintain about the same AUM production as currently provided from the Forest.

I agree with those who said in their comments that the FLNF should provide a greater diversity of habitats, especially early successional, aspen and regenerating forest, grassland, and shrubland habitats. The 2006 Forest Plan includes objectives for maintaining these habitat types. Five management areas will provide opportunities to enhance the regenerating age class (0 to 9 years) on the FLNF. Eighty-three percent of the FLNF (13,584 acres) is allocated to these five management areas.

It should be noted that the Forest Service considered existing conditions when allocating management areas in Alternative 3 Modified. As a result, there is a reduction in the acres managed for shrubland habitat in the 2006 Forest Plan due to natural succession of this ecosystem. The 2006 Forest Plan allocates nine percent of the Forest (1,421 acres) to the Shrubland MA.

The 2006 Forest Plan recognizes the serious threat to forest health from non-native invasive species and provides a programmatic framework for addressing this challenge. The 1987 Forest Plan had very little direction related to non-native invasive species. The spread of non-native invasive species is one of the major threats facing the Forest; thus the new management direction provided by the 2006 Forest Plan places emphasis upon preventing new introductions and gradually reducing established populations of invasive species.

The changes made in the 2006 Forest Plan for watershed health include riparian and wetland protection, protection from grazing and livestock, wildlife reserve tree retention, and protection of rare and unique features. Provisions for addressing these needs are included in goals, objectives, standards, and guidelines.

Recreation Management

The FLNF is a popular recreation destination in the Finger Lakes Region of central New York. Recreation and tourism within New York are important to the State, regional, and local economies. The FLNF plays an important role by providing high-quality scenery, contiguous public land area for dispersed recreation, hunting and fishing opportunities, and high-quality trail-based recreation. The nature-based recreation and predominantly natural settings provided by the FLNF offer opportunities for visitors vacationing in New York and contribute to the quality of life for local residents.

In my judgment, Alternative 3 Modified achieves the desired balance of recreational settings and opportunities. The 2006 Forest Plan moves the Forest to a range of recreation settings that are well aligned with the desires of the public and the niche of the Forest. Areas managed to provide semi-primitive non-motorized recreation experiences, as measured by the Recreation Opportunity Spectrum (ROS), increase from the 1987 Plan's approximately 4 percent to 8 percent in the 2006 Forest Plan. Another 9 percent of the land will be managed to provide a semi-primitive motorized setting. This provides for 17 percent of the land to be managed for less developed recreational settings, an increase from the 4 percent managed for these types of settings in the 1987 Forest Plan. This shift to more remote recreational opportunities is consistent with the Forest's recreation niche. The FLNF's blocks of contiguous publicly owned land provide an uncommon opportunity for these types of recreation settings.

The 2006 Forest Plan also provides for a diversity of trail uses within the Forest's settings including hiking, biking, cross-country skiing, snowshoeing, horseback riding, and snowmobiling. An important change provided in the 2006 Forest Plan is to restrict horseback riding to pastures and designated trails and bicycling to designated trails. The reason for this change is that unauthorized use and user-created trails has caused resource damage. Public involvement during the Plan revision process highlighted the need for this change and allowed opportunity for feedback. Based on the public input received and the analysis of environmental effects documented in the EIS, I am making this decision as the final agency action, which will not be subject to further NEPA analysis.

Alternative 3 Modified provides for a diversity of future trail opportunities that support public demand, including continued use on 17 miles of existing trails for horseback riding and 16 miles of existing bicycle trails. While the 2006 Plan does not include specific objectives to increase equestrian or bicycle trail miles, 96% of the Forest is in management areas that would permit construction of additional equestrian or bicycle trails in the future.

The 2006 Forest Plan maintains the FLNF's existing focus on dispersed recreation, with its trail-based recreation opportunities being one of its greatest assets. The 2006 Forest Plan also calls for maintaining all current developed recreation facilities. In addition, the 2006 Forest Plan designates Caywood Point as a Recreation and Education Special Area where future developed recreation facilities will be considered.

An important recreational area on the FLNF is the North Country National Scenic Trail (NCT). The 2006 Forest Plan features additional protections for the NCT by placing the trail and its corridors into the NCT Special Area Management Area with distinct management direction. The boundary of the NCT Special Area Management Area now includes a corridor of 200 feet on either side of the trail and is allocated on 164 acres (1% of the Forest) in Alternative 3 Modified.

In the last three years, the Chief of the Forest Service has focused attention on the importance of national forests managing the use of summer off-highway vehicles (referred to as summer off-road vehicles (ORVs) in the 2006 Forest Plan and Final EIS). While summer ORV use is considered an appropriate use on national forests, the damage caused by unmanaged summer ORV use has become an increasing concern nationwide. Based upon local conditions and their overall recreational niche, I have determined that some National Forests within the Eastern Region should provide summer ORV trail opportunities while others should not. After careful consideration, I have decided that the 2006 Forest Plan will continue direction in the 1987 Plan to prohibit the use of summer ORVs on the FLNF.

Timber Management

The FLNF was established from lands of which the majority had been heavily cutover, grazed, farmed, and later abandoned. Due to the ecological resilience of New York's forestlands, and public support for sustainable management and public ownership, the Forest Service has been able to demonstrate the value of sustainable forestry practices on the FLNF. The Forest Service has shown that water quality, biological diversity, and desired wildlife habitat can be restored and that the FLNF can provide outstanding scenery and high-quality recreation, while at the same time supplying highly valued wood and other forest products to support local and regional economies.

The 1987 Forest Plan stated that timber management would be used to maintain and enhance vegetative diversity, wildlife habitats, vistas, and the health and condition of the forest ecosystem, as well as produce high-quality sawtimber. Under that Forest Plan, timber harvesting was also used as a tool to achieve recreation, visual, wildlife, timber, forest health, and other objectives. Over the past 19 years the amount of timber harvested on the FLNF has been well below that necessary to achieve goals, objectives, and desired conditions. Of particular concern is that Forest Plan objectives that rely on timber management (such as the creation of habitat diversity for wildlife species) have not been met.

I believe the 2006 Forest Plan provides the management direction needed to have an effective timber management program. Although many factors will continue to influence actual timber harvest levels from year to year, I am confident that the improved determination of lands that are classified as suitable for timber production, and the accompanying calculation of the Allowable Sale Quantity (ASQ) for timber provided by the 2006 Forest Plan gives us the most reliable projection possible of the timber production capability of the FLNF.

Commercial timber harvesting will continue to play a role in providing multiple benefits on the FLNF and the goals, objectives, and desired future conditions stated in the 2006 Forest Plan. The Forest Service will continue to use silvicultural treatments that favor the creation of a diversity of wildlife habitats, the creation of vegetation composition and age class distributions that are closer to natural tendencies, and the production of high-quality sawtimber.

The 2006 Forest Plan provides for an Allowable Sale Quantity (ASQ) of 2.58 million board feet for the first decade (an annual average of 258 thousand board feet (MBF) per year). The ASQ for the 1987 Plan was an annual average of 400 MBF per year for the first decade. The determination of which lands were classified as suitable for timber production and the resulting ASQ calculations were derived using the best available mapping techniques, updated vegetation and land status data, incorporating revised standards and guidelines into the analysis, and knowledge gained from nearly 20 years of implementing the 1987 Forest Plan. The decrease from the 1987 Forest Plan ASQ calculation (an annual average of 400 MBF) to the 2006 Forest Plan (an annual average of 258 MBF) is largely due to the allocation of lands to management areas that are not part of the suitable timber base as well as improved inventory data and more accurate analysis processes for determining the ASQ.

In making my decision, I recognize there is concern over the amount of timber harvesting that will be done on the FLNF. Some of this concern may be due to a misunderstanding of what ASQ means. Simply put, ASQ is an upper ceiling on the amount of timber that may be sustainably harvested over time. It is not a guarantee or commitment to sell that particular amount over the next decade. The ASQ is based on an estimate of the amount of timber harvest volume that would result from fully implementing the 2006 Forest Plan objectives over the next decade. Actual harvest may be less depending on annual budgets and site-specific factors encountered during project development. I believe the 2006 Forest Plan ASQ represents an adequate picture of the

overall potential for the FLNF to produce timber outputs while at the same time meeting goals and objectives for other resources. The models we used also provided the necessary assurance that the Forest will be managed for a sustainable, non-declining flow of wood products over the long-term.

The 2006 Forest Plan classifies 5,700 acres of land as suitable for timber production (approximately 35% of the Forest's land base). Management areas that have lands classified as suitable are Oak Hickory and Northern Hardwood Management Areas. These lands are capable of producing commercial volumes of timber on a sustained basis, and these are the areas where regularly scheduled timber harvest will occur. The 1987 Plan classified 6,086 acres as suitable for timber production.

The 2006 Forest Plan provides management direction for selecting the appropriate vegetation management actions at the site-specific level to achieve desired conditions. This direction provides needed flexibility in selecting the appropriate treatments and allows adaptive management to be practiced. Several commenters expressed concern that stands within the Oak Hickory or Northern Hardwood Management Areas would only be managed for those species stated in the respective management area name. The Forest Service made every attempt to allocate these two management areas to locations with ecological tendencies for supporting each management area's desired future condition. The Forest Service clarified in the 2006 Forest Plan however, that both management areas permit the maintenance of other species types using a variety of silvicultural tools.

The 2006 Forest Plan also identifies the proportion of probable methods of timber harvest (16 U.S.C. 1604(f)(2)), but does not decide when, where, or how timber harvest will occur at any particular site-specific location. The 2006 Forest Plan's proposed and probable management practices projects that there will be about 870 acres of commercial timber harvesting done during the first decade using a variety of silvicultural treatments. The 2006 Forest Plan focuses timber harvesting in those areas accessible by the existing road system. A minimum of 20 percent of timber harvesting activities will use uneven-aged silvicultural treatment methods to create multi-aged conditions. The final determination of the appropriateness of even-aged or uneven-aged management is a site-specific determination. Such determinations are better made at the project level of decision-making based on site-specific resource information.

I recognize there are some groups and individuals who believe the FLNF should substantially curtail or eliminate all commercial timber sales. The sale of timber products is an appropriate use of National Forest System lands as authorized by various federal laws, including the Multiple-Use Sustained-Yield Act of 1960 and National Forest Management Act of 1976. Timber sales have been an integral part of the resource conservation practices on the FLNF since the 1970s. Timber sales are often an efficient, effective, and sometimes the only means to move toward the desired conditions for vegetation on the landscape. In fact, many of the vegetation species composition and age class distribution objectives are achieved through vegetation management resulting from timber sales. The analysis documented in the Final EIS shows that the FLNF is capable of providing forest products in an environmentally sustainable manner while providing many other Forest resource benefits that are necessary to achieve 2006 Forest Plan goals and objectives. I made this decision recognizing the preferences of some groups and individuals, but realizing that the commercial timber harvest on the FLNF is desirable.

Overall Conclusions

The decision to select Alternative 3 Modified was heavily influenced by the public input received during the Plan revision process. I made this decision based on the Finger Lakes National Forest Supervisor's careful review of public comments, analysis of effects as documented in the Final EIS, consideration of a range of alternatives, and frequent in-depth consultation with the staff of the FLNF. I believe this decision is based on the best available scientific assessments and most current scientific knowledge. It considers all new information provided by the public, State, and other federal agencies during the revision process, and is made with particular concern for the use of high-quality resource data. I believe this 2006 Forest Plan provides the best mix of resource uses and opportunities to provide for public needs and desires within the framework of existing laws, regulations, policies, and capabilities of the land.

It is my belief that this decision responds best to the evaluation criteria described on page 11 of the ROD and the Need for Change items described in Chapter 1 of the Final EIS. Implementing the 2006 Forest Plan will provide the best blend of products, services, and values for the public and will improve the sustainability and ecosystem health on the FLNF. I believe the ecological, social, and economic components of sustainability will all benefit from implementing the plan I have selected.

Changes to the Forest Plan between the Draft and Final Environmental Impact Statements

We received 583 comment letters on our Draft EIS and the Proposed Revised Forest Plan. Based on the comments received, I have made a number of changes to the Proposed Revised Forest Plan, and incorporated them into the 2006 Forest Plan. The 2006 Forest Plan is a modification of Alternative 3 and is called Alternative 3 Modified. It is referred to as Alternative 3 in the Final EIS.

The changes to Alternative 3 in the Draft EIS and to the Proposed Revised Forest Plan range from minor edits and clarifications to changes in management area allocations, goals and objectives, standards and guidelines, management area direction, and monitoring requirements. Some changes resulted from data corrections and field verification. These changes are reflected in the Final EIS and 2006 Forest Plan for the FLNF. The following summary describes the major changes made between the Draft EIS and Final EIS.

CHANGES TO MANAGEMENT AREA ALLOCATIONS

Future Old Forest, Oak Hickory, and Northern Hardwood Management Areas

Alternative 3 Modified includes 280 additional acres in the Future Old Forest Management Area. The 280 acres are comprised of 174 acres removed from the Oak Hickory Management Area and 106 acres removed from the Northern Hardwood Management Area.

Public comments received on the Draft EIS and Proposed Revised Plan expressed concern for the vegetation age classes contained in the areas allocated as Future Old Forest in Alternative 3. Specific concern was that there were other areas on the FLNF that had older trees and were better suited for inclusion in the

Future Old Forest Management Area designation than those areas presented in the Draft EIS. Interpretation of aerial photographs taken in 1938 and recently made available through Geographic Information Systems (GIS) indicates areas that may have been continuously forested since the 1930s. At the time the planning team allocated lands to management areas for the Draft EIS, this information was not available. The planning team developed the allocations for Future Old Forest based on the desire to have large areas of relatively unfragmented forest and continuous canopy, and areas that would provide a semi-primitive recreational setting.

In response to the public concerns and new information on the location of the oldest FLNF forests, the planning team reviewed the allocations for Future Old Forest in relationship to forested stands identified in agency inventories as being at least 80 years old. The oldest forest areas were predominantly small areas scattered throughout the FLNF. Many of these stands had been incorporated into the Future Old Forest MA in Alternative 3, but there were opportunities to include more of these stands in Alternative 3 Modified by connecting areas allocated to management areas that would develop old growth characteristics over time. There was also an opportunity to remove some lands allocated to Future Old Forest that were less suitable for this designation, either due to isolation of small parcels or existence of early successional forest composition. Most of these areas were located on the edge of the Future Old Forest MA. The configuration of the Future Old Forest MA in Alternative 3 Modified captures more older forest, provides linkages between future old growth areas, and places some lands in management areas other than Future Old Forest that are better aligned with existing and desired conditions.

CHANGES TO GOALS AND OBJECTIVES

Objectives under Goal 2

Forest Plan Goal 2 emphasizes the maintenance and restoration of habitats to produce viable and sustaining populations of native and desirable non-native plants and animals. The age class objectives have been clarified to be more consistent with desired future conditions. The age class objective table has been revised so that the age class objectives only apply to those lands classified as suitable for timber production that will be managed under even-aged treatments in the two management areas that include regularly scheduled timber harvest. The percentage of suitable land to be managed using uneven-aged treatment has been increased to a minimum of 20 percent in response to public comments that the timber program on the FLNF should have a greater focus on uneven-aged management, and the re-examination of the type of treatments needed to reach desired vegetation objectives.

Objective under Goal 4

Forest Plan Goal 4 emphasizes the maintenance and restoration of fisheries, riparian, vernal pool, and wetland habitats. A new objective has been added to Goal 4 which states, "Take needed measures to control cattle access on all water resources (including stock ponds, streams, wetlands, seasonal pools, and riparian areas) within the next ten to fifteen years."

Goal 4 states: "Maintain or restore aquatic, fisheries, riparian, vernal pool, and wetland habitats." We added the new objective to make a commitment to meet New York Natural Resource Conservation Service Best Management Practices (BMPs) that apply to the constructed ponds in grazing allotments. Currently, cattle are allowed to be around and in the ponds which causes bank erosion and degrades water quality and does not comply with BMPs.

CHANGES TO STANDARDS AND GUIDELINES

Minerals

Standards and guidelines for minerals management include a new standard: "Lands are withdrawn from oil and gas leasing under the Energy Policy Act of 2005." Due to the withdrawal of FLNF lands through this act, we have removed a standard that was in the Proposed Revised Plan referencing the oil and gas no action decision and the need for new information to become available before this decision is reconsidered.

The 2005 Energy Bill withdrew the Finger Lakes National Forest from oil and gas development. A previous EIS led to the decision not to lease areas of the FLNF for natural gas development but the FLNF was still available for consideration. A number of management areas in the Proposed Revised Plan were open to consideration should there be a change in circumstances, such as an unforeseen energy crisis resulting in reconsideration of leasing the FLNF for natural gas development. The new standard is added to clarify that under federal law, the FLNF is no longer available for oil and gas development.

Soil, Water, and Riparian Area Protection and Restoration

We received comments that the wetland guidelines may not provide sufficient protection for wetlands and riparian areas. Specific concerns were related to the need to protect wetland habitats for odonate species such as dragonflies and damselflies, preserve perched white oak swamps, and protect wetland areas from grazing activities. The Soil, Water, and Riparian Standards and Guidelines now clearly display intended protection of wetlands and riparian areas. For example, a guideline for wetlands now states that within 100 feet of a wetland, activities should be limited to those that protect, maintain, and improve the condition of the riparian resource.

Rare and Unique Biological Features

The 1987 Forest Plan as amended included considerable detail about requirements for management of plants listed by the US Fish and Wildlife Service as threatened or endangered, or by the Eastern Region of the Forest Service as sensitive. The Proposed Revised Forest Plan eliminated some of that detailed direction for two reasons: 1) to avoid repeating direction provided in Forest Service Manual (FSM) 2760, and 2) to move detailed operational directions to technical guides or Forest Supplements to the Forest Service directives.

Forest Service staff examined standards and guidelines related to protection for species of concern that were not listed as threatened, endangered, or sensitive and found that some of the S&Gs in the 1987 Forest Plan were not yet in the FSM Supplement direction. Without these S&Gs, we would have had to produce analyses on how each site-specific project could affect plants that are species of concern, and then develop mitigation to protect them. By changing the S&Gs to be more detailed we will be able to refer to the protection afforded these plants in the S&Gs.

Forest Service staff raised the concern that the standards for Great Blue Heron and Northern Goshawk would require surveys for these species before any activity. Identifying "active" nests can be very problematic for goshawks as they may have multiple nests that they are working on in any given year. Forest Service staff reviewed potential situations in the field while considering the most effective procedures to protect nests when and where necessary. Based on this review, the standards for these species have been modified and converted into guidelines. This change provides greater flexibility for Forest Service staff in project planning while protecting any nest found during management activities.

CHANGES TO PLAN APPENDICES

Management Indicator Species

The Management Indicator Species (MIS) for the grasslands habitat type have been revised from the American woodcock to an assemblage of grassland songbirds (eastern meadowlark, bobolink, and savannah sparrow). This change to MIS is based on public comments, discussion among Forest Service staff, and consultation with a Cornell University ornithologist.

The assemblage of songbirds was selected because these species inhabit and nest in grasslands almost exclusively. Ongoing bird studies on the FLNF and breeding bird surveys in New York State provide background population trend information for each species. In addition, all three species can easily be monitored together.

The American woodcock was dropped as a MIS in the 2006 Forest Plan due to the range of habitats required by this species, confounding the MIS-habitat link of woodcock with grasslands. Woodcock use forest openings, abandoned fields, and grasslands for courtship display and roosting; grassy fields are particularly important as night-time roosting sites during summer. Other habitats, particularly alder thickets and moist shrub areas with young hardwoods, are important for nesting and brood rearing (Sepik et al. 1981, Keppie and Whiting 1994, DeGraaf and Yamasaki 2001).

Allowable Sale Quantity and Suitable Acres

The Allowable Sale Quantity (ASQ) in Alternative 3 as presented in the Draft EIS and Proposed Revised Plan was an average of 245 thousand board feet (MBF) per year. This increased to an average of 258 MBF per year for the 2006 Forest Plan (Alternative 3 Modified).

Changes in management area allocations in Alternative 3 Modified have shifted some areas with non-native pine plantations that contribute minimally to the ASQ from MAs that are suitable for timber harvesting to Future Old Forest, an MA that is not suitable for timber harvesting. Areas with sawtimber were shifted from the Future Old Forest MA to management areas that are suitable for timber harvesting. Although the acres in the Future Old Forest MA have increased, the ASQ has also increased. Acres in the suitable timber based decreased from 6,050 acres in Alternative 3 to 5,700 acres in Alternative 3 Modified.

CHANGES TO THE ENVIRONMENTAL IMPACT STATEMENT

Fire Management Analysis

Information has been revised in the Fire History, Ecological Role of Fire, and Existing Condition sections of the Fire Effects Analysis. This information has been corrected to better reflect fire conditions applicable to the Finger Lakes National Forest.

Public Involvement

Beginning in 1996, the staff of the FLNF implemented a thorough and active public involvement effort that continued throughout the planning process. A variety of public involvement tools and methods were used including public meetings, open houses, field trips, newsletters, news releases, and meetings with special interest groups upon request. The efforts of the Forest Service and the public participants provided valuable contributions to the development of the 2006 Forest Plan.

1996 to 1998

The Forest Plan revision process was initiated in 1996, with the Forest Service Joint Core Planning Team (Forest Service staff representing the FLNF, the Green Mountain National Forest, and the White Mountain National Forest) outlining basic principles and procedures for revising their Forest Plans. One primary tenet of the planning process was to focus on collaborative public involvement, with goals to:

- Involve the public from the beginning
- Share information and gather feedback from the public
- Focus public involvement on dialogue, learning, and joint problem-solving

A five-phase process to revise the FLNF 1987 Forest Plan was developed and is outlined below.

1) Public outreach: The Forest Service developed a list of issues based on review of the 1987 Forest Plan and through discussions and meetings with Forest Service employees, the public, agencies, and groups.

2) Public Planning Groups: The Forest Service hosted public planning group meetings to disseminate information on planning regulations, past management plans, and other relevant information. The public planning groups reviewed performance of the 1987 Forest Plan and raised further issues.

3) Collect information to evaluate revision needs: The Forest Service and public planning groups formed technical working groups to collect and analyze information on specific issues.

4) Need for change: The technical working groups worked with the public planning groups to document areas of possible change to the 1987 Forest Plan.

5) Formal NEPA process to revise the Forest Plan: The Forest Service followed the formal National Environmental Policy Act process to prepare an Environmental Impact Statement for the revision of the 1987 Forest Plan. The public remained involved in the process by providing comments to proposals, ideas for management, solutions to problems, and concerns to be addressed.

The FLNF held two public outreach sessions and five public planning group meetings that generated more than 600 comments. The public planning group worked to refine issues during a series of meetings. Issues were also clarified during a field study tour.

Public Outreach Sessions

- Watkins Glen, New York
- Ovid, New York

Public Planning Group Meetings

- Watkins Glen, New York 07/28/1997
- Watkins Glen, New York 08/13/1997
- Watkins Glen, New York 09/20/1997
- Watkins Glen, New York 10/08/1997
- Watkins Glen, New York 10/09/1997

Eleven management issues were identified and discussed at these meetings.

In 1999, Congress halted all plan revisions in anticipation of a revised national planning rule. At that point, all activities related to the public planning groups on the FLNF stopped.

2001 to 2002: Pre-Notice of Intent

The FLNF resumed Forest Plan revision in 2001. At this time, the Forest Service received a grant from the U.S. Institute for Environmental Conflict Resolution (U.S. Institute) to develop and implement a public involvement process for Plan revision. The U.S. Institute contracted Interface, part of the Community Dispute Resolution Center based in Ithaca, NY, to work directly with the Forest Service and the public. The goal was to help the public and the Forest Service collaboratively resolve contentious issues and develop Forest Plan alternatives to address these issues.

Through this grant, Interface was charged with:

- 1) Preparing a Situation Assessment
- 2) Designing and evaluating a public involvement process to revise the Forest Plan
- 3) Facilitating meetings
- 4) Training the Forest Service and stakeholders in environmental conflict resolution techniques in order to collaboratively revise the Forest Plan and to resolve contentious future issues
- 5) Consulting on the design of public planning meetings
- 6) Focusing the issues for use in the Notice of Intent to Revise the Forest Plan using information from the Conflict Assessment
- 7) Creating a collaborative atmosphere with the public in order to explore issues and start to develop alternatives to the Forest Plan

Situation Assessment

Interface worked with the FLNF staff to identify a comprehensive list of stakeholders who were interested in or affected by the management of the FLNF. More than 15 stakeholders representing a broad range of perspectives were interviewed for the Situation Assessment.

Based on Interface's analysis of the interview results, a number of challenges were identified that the Forest Service would have to navigate to have a successful public involvement process. While the challenges that the public

involvement process presented were significant, the assessment outlined recommendations to meet those challenges. Nine challenges and associated recommendations included:

- 1) Develop a relationship between the community and the Forest Service to increase understanding of the Forest Plan revision process
- 2) Understand public management concerns versus management concerns the Forest Service considers important
- 3) Clarify the Forest Service multiple-use mandate in relation to the FLNF
- 4) Clarify the role that science plays in Forest Service management decisions
- 5) Clarify Forest Service terminology
- 6) Recognize that the FLNF is a national commodity
- 7) Create increased opportunities for dialogue and participation opportunities
- 8) Develop a sense of trust between the community and the Forest Service
- 9) Develop a collaborative process for building agreement

Public Planning Meetings

Two public planning meetings were held at the following locations:

- Lodi, New York 02/11/2002
- Watkins Glen, New York 02/13/2002

These meetings were designed to:

- Provide an opportunity for community discussion on the planning process
- Provide an overview of the results of the Plan revision process that began in 1996 and what has happened since then
- Outline current Forest Service planning requirements and other laws that affect Plan revision
- Validate issues identified in 1996 and identify any issues that had emerged since then
- Discuss the FLNF proposed public planning process and timeline

Public input from these meetings was used to determine necessary changes, actions that should be taken, and issues to be addressed in the Forest Plan revision process. From public input and internal evaluations, the purpose and need and proposed action were developed and the NEPA process was begun by publishing a Notice of Intent (NOI) in the Federal Register.

2002 to 2004: Post Notice of Intent to the Notice of Availability of the Proposed Revised Forest Plan and Draft EIS

The NOI was published in the Federal Register May 2, 2002. After the NOI was published, a public meeting was held in February 2003 to review the NOI and allow the public a chance to meet the Forest planning staff and other resource specialists, become more familiar with the planning process, and provide input on plan revision. The meeting was held in Hector, New York on February 5, 2003.

Local Planning Group (LPG) Meetings

From February 2003 through June 2004, the Forest Service held meetings with a "Local Planning Group" the first Thursday of every month at the Hector Fire Hall in Hector, New York. A variety of meeting formats and styles were used, typically including a formal presentation followed by small group discussions, open house feedback sessions, collaborative hands-on mapping sessions, or question-answer periods. In addition to these meetings, the Forest Service made presentations to various towns, planning commissions, and other interested groups. Below is a list of the LPG meetings that were held in 2003 and 2004.

The **February 2003** LPG meeting focused on clarifying the public involvement process during Plan revision.

- Hector, New York 02/05/2003

The **April 2003** LPG meeting focused on draft goals for the revised Forest Plan.

- Hector, New York 04/03/2003

The **May 2003** LPG meeting focused on land acquisition, land adjustment, developed recreation, and undeveloped recreation.

- Hector, New York 05/01/2003

The **June and July 2003** LPG meetings focused on conflict resolution skills and Forest Service trail networks.

- Hector, New York 06/06/2003
- Hector, New York 07/07/2003

The **August 2003** LPG meeting focused on vegetation, timber, and ecosystem management.

- Hector, New York 08/07/2003

The **September 2003** LPG meeting focused on biodiversity and ecosystem management.

- Hector, New York 09/04/2003

The **October 2003** LPG meeting focused on roads and the Forest Service requirement to carry out an assessment called the Roads Analysis Process.

- Hector, New York 10/02/2003

The **November 2003** LPG meeting was the first in a series of two meetings devoted to management areas (MAs) and the development of draft alternatives for the revised Forest Plan.

- Hector, New York 11/06/2003

The **December 2003** LPG used the MAs presented in November 2004 to map the FLNF.

- Hector, New York 12/04/2003

The **March 2004** LPG meeting was focused on the preliminary draft alternatives.

- Hector, New York 03/04/2004

The **June 2004** LPG meeting was focused on the Trails Analysis Process.

- Hector, New York 06/24/2004

2005 to 2006: Post Notice of Availability of the Proposed Revised Forest Plan and Draft EIS

Open House

In **June 2005**, after the release of the Proposed Revised Forest Plan and Draft EIS, a public open house was held to present the Draft Environmental Impact Statement and answer questions about the analysis and the preferred alternative. The meeting took place at the Watkins Glen High School in Watkins Glen, New York.

This open house was designed to provide information and an opportunity for the public to ask questions about the Proposed Revised Plan so that they could submit informed comments.

Special Meetings with Groups

After the release of the Proposed Revised Forest Plan and Draft EIS, the Forest Service met with federal, tribal, and regional agencies and governments. The purpose of these meetings was to present the Draft Environmental Impact Statement and answer questions about the analysis and the preferred alternative.

- Seneca Nation (7/12/2005)
- Schuyler County Planning Environmental Management Council (7/12/2005)
- US Fish and Wildlife Service 05/03/2005

Other Public Involvement

In addition to holding over 15 public meetings, the FLNF involved the public through public notices, newsletters, mailings, and web site updates, and encouraged them to provide comments in many different ways. People provided input on the Plan revision process through phone calls, email, written letters, and personal contacts at Forest Service offices.

Website

The FLNF maintained other avenues for public involvement besides public meetings. This was done in an effort to involve as many people as possible in the revision of the Forest Plan. One key aspect of the public involvement included a Plan revision web site (http://www.fs.fed.us/r9/gmfl/nepa_planning/plan_revision.htm). The web site contained such information as:

- 1) Frequently Asked Questions about Forest Plan revision
- 2) Biographical information on the Planning Team
- 3) The FLNF 1987 Forest Plan
- 4) Plan revision documents and assessments
- 5) Information presented at each public meeting, including handouts and PowerPoint slide presentations
- 6) Public comments recorded at each public meeting
- 7) Links to other useful information

Mailing Lists

The FLNF sent out meeting notices and updates on the Plan revision process to a mailing list of more than 600 people. The mailing list included interested individuals, State, federal, regional, and local governmental agencies, non-governmental organizations, and Native American Tribes.

Educational Forums and Field Trips

Two field trips were held to discuss timber harvesting and Plan revision. One field trip was held to discuss recreation and trail issues. An educational forum on timber harvesting was also held to present different viewpoints on the timber harvest issue.

Schedule of Proposed Actions

Forest Plan Revision has been listed on the FLNF Schedule of Proposed Actions since 2001. The schedule is distributed quarterly to more than 100 addresses and posted on the Forest's web site.

Newsletters

During the Plan revision process, particularly when public meetings were not being held, newsletters were generated to provide updates and information to the public. The newsletters were sent to more than 600 people and were available at the FLNF Hectar, New York office. The newsletters included:

- 1) Plan Alternative update, including how public involvement shaped alternative development (9/04)
- 2) Release information for the Draft EIS and Proposed Revised Forest Plan, including how to participate in the formal comment period (12/04)
- 3) Draft EIS and Proposed Revised Forest Plan Content Analysis summary of comments (9/05)

News Releases

In addition to newsletters, news releases were prepared in an effort to reach additional audiences, such as those not on the FLNF mailing list. News releases included:

- 1) Announcement of grant receipt and partnership with U.S. Institute for Environmental Conflict Resolution and Interface. (6/02)
- 2) Information regarding the proposed new planning rule (12/02)
- 3) Delayed release of Draft EIS and Proposed Revised Forest Plan (11/04)
- 4) Notice of Draft EIS and Proposed Revised Forest Plan release (5/05)

Coordination with Indian Tribes and Other Government Agencies

The Forest Service invited tribal, federal, State, and local level government agencies to provide input on the Proposed Revised Forest Plan and/or Draft Environmental Impact Statement (Draft EIS).

Tribal Involvement

The Forest Service contacted Ms. Kathleen Mitchell, Tribal Historic Preservation Officer of the Seneca Nation of Indians, to discuss Forest Plan revision. In addition to informal emails and phone conversations, a meeting was held April 6, 2001 between Ms. Mitchell and Forest Service staff.

The Forest Service met with Clint Halftown and Bernadette Hill of the Cayuga Nation on September 27, 2001 to discuss Forest Plan revision. Correspondence with the Cayuga Nation also took place through phone calls, emails, and letters.



Alternatives

Alternative Development

Three major issues identified through the Forest Plan revision public involvement process were used as the primary basis for developing a range of alternatives. The issues related to three plan revision topics: 1) Biodiversity and Ecosystem Management; 2) Recreation Management; and 3) Timber Management. Public participation through local planning group meetings further refined the issues used for alternative development.

The interdisciplinary team developed three preliminary alternatives in response to the issues and the purpose and need for the plan revision. The preliminary alternatives were presented at a public meeting in March 2004. Many of the comments received during and after the meetings were incorporated into alternative design, and led to the final three alternatives that were included for detailed analysis in the EIS. While all three alternatives provide a range of multiple uses, goods, and services, each responds to the purpose and need for the plan revision and addresses the issues in a different way. The process used to formulate the alternatives is described in Chapter 2 of the Final EIS.

The task of the interdisciplinary team working on the 2006 Forest Plan was to develop a reasonable range of alternatives. Based upon resource information, public comment, and experience gained while implementing the 1987 Forest Plan, the team crafted what I believe to be reasonable options for meeting the purpose and need for this plan revision. To the extent practicable, we have solicited and reviewed alternatives submitted by the public and documented that analysis in the planning record. Development of a programmatic multiple-use resource management plan involves compromise and balancing of a myriad of biological, physical, and social factors. The range of alternatives reflects various options for addressing the purpose and need, and addressing significant issues. The analysis documented in the EIS displays the trade-offs

associated with each approach to future management of the Forest.

Alternatives Not Considered in Detail

Several alternatives were considered, but were eliminated from detailed study. Although they contributed to the range of alternatives considered, the three alternatives were eliminated from detailed study because they were either impractical, infeasible, or did not meet the purpose and need for the Forest Plan revision. A description of these alternatives and the reasons for not studying them in detail can be found in Chapter 2 of the Final EIS and is summarized below:

Alternatives with No Timber Harvesting or Large Increases in Timber Harvesting

These alternatives address public issues regarding whether timber harvesting should be allowed on the FLNF, and if so, at what level.

An alternative that would eliminate timber harvesting on the FLNF was considered but not analyzed in detail because it would not adequately address the issues and meet the purpose and need criteria set for revising the Forest Plan. Timber harvesting is a necessary management tool for creating and maintaining desired wildlife habitat, and for maintaining and enhancing natural communities and other resources. Without timber harvesting scheduled to achieve these key objectives, this alternative would not meet aspects of the purpose and need dealing with providing a diversity of vegetative communities and wildlife habitats.

An alternative that called for large increases in timber harvest was also considered but not analyzed in detail because maximizing timber production would not meet aspects of the purpose and need dealing with the need to manage and protect other resources.

Alternatives with No Livestock Grazing

These alternatives address public comments that suggest there should be no grazing on the FLNF. One alternative considered would prohibit livestock grazing and allow grassland habitat to revert to forest. Another alternative considered would maintain the grassland habitat with methods other than livestock grazing.

Foraging cattle are an important tool in maintaining open, grass-forb habitat that benefits many wildlife species, adds to the scenic desirability and character of the region, provides recreation opportunities, and increases the vegetative diversity of the Forest. Without livestock grazing, aspects of the purpose and need for plan revision related to providing wildlife habitat, vegetative diversity, a mix of recreation opportunities and economic benefits could not be achieved.

The alternative that would maintain the grassland habitat with methods other than livestock grazing was not analyzed in detail because maintenance of that amount of grassland habitat using other methods such as mowing or fire would be technically and economically infeasible.

Alternatives Adding New Trails

These alternatives address the public desire for more trails on the FLNF. Alternatives that added new trails were not analyzed in detail because the revised Forest Plan does not make site specific decisions such as specific trail locations. The Forest Service has completed a detailed Trails Analysis Process for the FLNF (TAP, see Appendix F) and has recommended three trails for future site specific study. All three alternatives analyzed in detail allow future trail development on the majority of the Forest.

Alternative Making Oil and Gas Resources Unavailable for Leasing

An alternative making oil and gas resources unavailable for leasing on the FLNF addresses public opposition to this activity. Oil and gas leasing on the FLNF is prohibited by the Energy Policy Act of 2005. Therefore, a single alternative making leasing unavailable is unnecessary, since all alternatives are subject to this law. For these reasons, this alternative was eliminated from detailed analysis.

Alternative with All Ravines and Water Courses as Special Areas

This alternative addresses public comments collected during the public mapping sessions. During these sessions, some maps were developed that included every ravine and water course as a Special Area. All ravines and water courses are not of forest-wide or regional significance. Management standards and guidelines contained in the revised Forest Plan provide protection for ravines and water courses, and it is not necessary to protect all of these resources by Special Area designation. Therefore, an alternative designating all ravines and water courses as Special Areas was not analyzed in detail because the need to protect these areas was already incorporated in all other alternatives. .

Alternative Changing the Finger Lakes National Forest into the Finger Lakes National Park

This alternative addresses comments that suggested that the FLNF should become a National Park. An alternative that gives administrative responsibility of the FLNF to the National Park Service of the Department of the Interior was not analyzed in detail because it is outside of the scope of the revised Forest Plan process. It is also outside the authority of the Responsible Official for this Final EIS since a decision of this magnitude would be made at the Congressional level.

Alternatives Increasing the Ecological Reference Area Network

There were several suggested alternatives in response to the Draft EIS preferred alternative that included a change in and an increase of land allocation to Management Areas (MAs) within the ecological reference area network (Future Old Forest, Research Natural Areas, and Ecological Special Areas MAs). Specific configurations were presented that focused on protecting as many stands as possible that are currently 70 to 80 years old or older by allocating them to the Future Old Forest (FOF) MA. Large portions of the area suggested are dominated by plantations and other stands younger than 70 years old. Although there would be an increase in the proportion of stands 80 years or older within the ecological reference area network, these configurations would include less desirable stands. The specific configurations of FOF MA allocation suggested were considered but dismissed from detailed analysis, because they do not adequately address aspects of the purpose and need for revising the Forest Plan related to old-growth characteristics objectives.

The allocation of large amounts of forested stands within the network simply because they are currently 70 to 80 years old or older would not help achieve the purpose and need for revising the Forest Plan. If all of these stands are placed within the FOF MA, then production of forest products, particularly sawtimber, would be limited to only that provided through thinning of young stands. Some of these stands are oak and oak-pine natural communities. Oak and oak-pine natural communities are likely to succeed to mesic hardwood forests without the opportunity for silvicultural and/or fire treatments. In addition, if all stands 70 to 80 years or older were placed within the FOF MA, there would be no regeneration harvesting on the Forest and the purpose and need of providing a diversity of wildlife habitats, including early successional habitat, would not be achieved. Without the ability to provide quality sawtimber, maintain or enhance oak dominated forest communities, and maintain the regenerating age class to desired levels, these suggested alternatives fail to meet

several aspects of the purpose and need of revising the Forest Plan.

Alternatives Considered in Detail

A detailed description of the alternatives analyzed in detail can be found in Chapter 2 of the Final EIS.

Alternative 1***Theme***

Alternative 1 is the “no-action” alternative and serves as the baseline for comparison of alternatives. “No-action” would be to continue the management direction provided in the 1987 Forest Plan as amended. It reflects the current level of goods and services provided by the Forest and the most likely amount of goods and services expected to be provided in the future if current management direction continues. Some changes to plan direction have been incorporated to bring the plan in alignment with current laws, scientific information, and reflect needed changes identified through monitoring. Alternative 1 is consistent with the level of management intensity envisioned under the 1987 Forest Plan.

Alternative 1 allocates 52 percent of the Forest to the grasslands and shrubland MAs. There would be 4 percent of the Forest within management areas where natural processes dominate while 43 percent would be allocated to management areas where active forest vegetation management may occur. It would provide for 36 acres or less than 1 percent of the Forest to be within Ecological Special Areas. This alternative does not allocate any lands to the Future Old Forest MA. It would also provide for four percent of the Forest to be managed as semi-primitive (non-motorized) desired ROS class. The Allowable Sale Quantity (ASQ) would be an average of 425 thousand board feet per year with an emphasis on even-aged management within the Oak Hickory MA.

Decision Rationale

I did not select Alternative 1 because it does not address the need for change as well as the Selected Alternative. Alternative 1 provides for the lowest amount of acres within the ecological reference area network among the alternatives where natural processes would dominate and where old growth characteristics would develop over time. Thus, the limited opportunity for the conservation and planning and design associated with this alternative does not provide the ecological benefits needed. Only five ELTs and three LTAs would be represented at the desired objective of five percent. This alternative also provides for only a 15% representation of mesic hardwoods, which is outside of the ecological tendency for this forest community and therefore does not contribute well to maintaining this element of biological diversity. There would be no lands providing for recreation opportunities within the Semi-primitive Motorized ROS class. The Semi-primitive Non-motorized ROS class would be provided on only four percent of the Forest. This would not address the need for more remote and secluded recreation opportunities. Although Alternative 1 provides for the most opportunity for vegetation management, it does so with too much expense to the amount of Forest allocated to management areas where natural processes dominate or that would be managed for more mature forest and closed canopy conditions.

Alternative 2***Theme***

Alternative 2 was developed to address a public desire for larger undisturbed areas with less human intervention and semi-primitive recreation opportunities.

Alternative 2 would allocate 44 percent of the Forest to the grasslands and shrubland MAs. There would be 48 percent of the Forest within management areas where natural processes dominate while 26 percent would be allocated to management areas where active vegetation management may occur. It would provide for two percent of the Forest to be within Ecological Special Areas and 23 percent within the Future Old Forest MA. It would also provide for 29 percent of the Forest to be managed within the

semi-primitive (motorized and non-motorized) ROS classes. The Allowable Sale Quantity (ASQ) would be an average of 94 thousand board feet per year with an emphasis on uneven-aged management within the Northern Hardwood MA.

Decision Rationale

I did not select Alternative 2 because overall it would not provide for the desired balance of Forest uses and products in comparison with the Selected Alternative. Alternative 2 provides the greatest amount of acres within the ecological reference area network among the alternatives where natural processes would dominate and where old growth characteristics would develop over time. It would, however, result in mesic hardwood community types at a higher proportion over oak than the ecological tendency at 36 percent. Oak-dominated forests (9 percent) would be well below what would be desired. The limitations afforded to active vegetation management (restricted to just 26 percent of the Forest) would not provide for a balanced mix of resource uses and opportunities. Although Alternative 2 provides for the largest amount of management area allocations allowing natural processes to dominate or that would be managed for more mature forest and closed canopy conditions, it does so with too great a limitation on future recreation and vegetation management opportunities.

Alternative 3 Modified – Selected Alternative***Theme***

Alternative 3 Modified was developed to address a public desire for interior forest and semi-primitive recreation opportunities as well as oak and northern hardwood management for wildlife and timber. This alternative is based more on current ecosystem and vegetation conditions than the other alternatives.

Alternative 3 Modified would allocate 45 percent of the Forest to the grasslands and shrubland MAs. There would be 15 percent of the Forest within management areas where natural processes dominate while 38 percent would be allocated to management areas where active vegetation management may occur. It would provide for three percent of the Forest to be

within Ecological Special Areas and nine percent within the Future Old Forest MA. It would also provide for 17 percent of the Forest to be managed within the semi-primitive (motorized and non-motorized) ROS classes. The Allowable Sale Quantity (ASQ) would be an average of 258 thousand board feet per year with a more balanced mix of even-aged and uneven-aged management opportunities than the other alternatives.

Decision Rationale

My rationale for selecting Alternative 3 Modified as the 2006 Forest Plan is detailed on pages 13 through 18 of this Record of Decision.

The Environmentally Preferred Alternative

The Council of Environmental Quality regulations implementing NEPA require the specification of "...the alternative or alternatives which were considered to be environmentally preferable" (40 CFR 1505.2(b)). I have reviewed the National Environmental Policy Act to determine the criteria for identifying the environmentally preferable alternative. All six criteria in NEPA (section 101(b)) were considered.

Based on my review of the six criteria in NEPA (section 101(b)) and the analysis of effects disclosed in the Final EIS, I have determined that Alternative 3 Modified is the environmentally preferable alternative. This alternative will allow for the most appropriate mix of management direction to protect, preserve, and enhance the historic, cultural, and natural resources on the FLNF. It also best addresses the protection and stewardship aspects of the criteria, while at the same time addressing those criteria which speak toward providing a balance between population and resource uses and attaining the widest range of beneficial uses of the environment without degradation.



Findings Related to Other National Policies, Laws, and Authorities

The Forest Service manages the FLNF in conformance with many laws, regulations, executive orders, and policies. The list provided here does not include all governing statutes that apply to the Forest Plan revision, but it highlights the primary ones guiding the preparation of this plan revision. In all cases, the 2006 Forest Plan is consistent with national law, policy, and direction.

National Environmental Policy Act

The Forest has compiled and considered an enormous amount of information relevant to the effects of each alternative analyzed in the Final EIS. I believe that the best available and relevant scientific information has been considered. The public has been involved throughout the plan revision process in a manner that is far beyond the minimum requirements of the National Environmental Policy Act (NEPA). I find that the environmental analysis and public involvement process comply with the requirements set forth by the Council on Environmental Quality for implementing NEPA (40 CFR 1500-1508).

These requirements include:

- considering a broad range of reasonable alternatives
- disclosing cumulative effects
- using best scientific information
- consideration of long-term and short-term effects
- disclosure of unavoidable adverse effects

With one exception, the decision here does not directly authorize any new activities or projects, but rather activities and projects will be subject to additional site-specific environmental analysis that will tier to the Final EIS and follow applicable environmental analysis, public involvement, and administrative appeal procedures. That exception is that this Record of Decision documents the final agency decision to prohibit horseback use off pastures

and designated trails and bicycle use off designated trails. I have determined that the analysis documented in the EIS is sufficient to support that decision and that the public has been fully informed and given ample opportunity to comment on this final agency decision.

The 2006 Forest Plan has adopted all practicable means to avoid or minimize environmental harm. These means include providing ecological conditions needed to support biological diversity, and standards and guidelines to mitigate adverse environmental effects that may result from implementing various management practices. The 2006 Forest Plan includes monitoring requirements and an adaptive management approach to assure needed adjustments are made over time.

National Forest Management Act

The National Forest Management Act (NFMA) and its implementing regulations specify a number of requirements for forest plan development. Congress has mandated that forest plan revision assure that the plans provide for multiple-use and sustained yield of products and services. Not every use can or should occur on every acre. Our goal is to blend multiple-use of the Forest in such a way that is sustainable and best meets the needs of the American people.

The FLNF developed an integrated land and resource management plan using a systematic interdisciplinary approach to integrate consideration of physical, biological, economic, and other sciences. The 2006 Forest Plan maximizes net public benefit and contains strong conservation measures to protect, maintain, and improve soil and water resources, wildlife habitat, and other forest resources within a multiple-use context. The 2006 Forest Plan complies with each of the NFMA and regulatory requirements, as explained elsewhere in this Record of Decision, accompanying Final EIS, and Appendices. Certain requirements are discussed in further detail below.

The 1982 NFMA regulations require fish and wildlife habitat to be managed to maintain viable populations of existing native and desired non-native vertebrate species in the planning area (36 CFR 219.19; (1982)). A key part of forest plan revision was the evaluation of 41 species for viability concerns. Neither NFMA nor its implementing regulations create a concrete, precise standard for diversity. The original Committee of Scientists noted in the development of the early planning regulations for NFMA that “it is impossible to write specific regulations to provide for diversity” and thus “there remains a great deal of room for honest debate on the translation of policy into management programs” (44 Federal Register 26600-26608, 26608). Because absolute certainty cannot be obtained regarding plant and animal community diversity, the planning process involves projections or estimates of distribution and abundance of plants and animals based upon ecological conditions necessary to maintain viable populations.

Using an ecological or “coarse filter” approach, broad land categories of wildlife habitat were identified. A relatively small change in the abundance and quality of wildlife habitats is likely to occur in the next decade due to actions we take as we implement the 2006 Forest Plan. Some changes in the quality and quantity of wildlife habitat will occur through natural succession and disturbances. These changes are not anticipated to create any species viability concerns. The Forest also used a species, or “fine filter”, analysis to assure that standards and guidelines were in place to provide for the needs of threatened, endangered, or sensitive species. Forest plan direction was developed to conserve habitat and avoid or reduce adverse effects of the future management actions. The analysis presented in the Final EIS indicates that under all alternatives there is a high likelihood of continued representation of all species and important wildlife habitats on the Forest.

There were eight Management Indicator Species (MIS) chosen that will respond to forest management activities and assist in predicting the effects of implementing the forest plan over time. These MIS are savannah sparrow,

bobolink, eastern meadowlark, common yellowthroat, black-throated blue warbler, chestnut-sided warbler, ruffed grouse, and gray squirrel. There are several reasons why particular MIS are not carried forward from the 1987 Forest Plan to the 2006 Forest Plan. Some MIS are ineffective as indicators for habitat changes in their represented communities. This may be caused by poor or ambiguous correlation to habitat change, by the adaptability of many species to changing conditions, or by confounding links to other habitat conditions (Niemi et al 1997, Toth, 2000). The choice of MIS was based upon experience implementing the 1987 Forest Plan and the best available scientific information.

Management Indicator Species are just one part of the overall monitoring effort. Species that are not designated as MIS may still be monitored. Recognizing the discretion provided by the 1982 NFMA regulations (36 CFR 219.19(a)(1)), the Forest carefully selected MIS that will meet the intent of the NFMA regulations, but not impose an unattainable or unnecessarily burdensome monitoring requirement on the Forest.

The NFMA implementing regulations also require that forest plans identify the proportion of harvest methods that are proposed for implementation. The 2006 Forest Plan includes a forecast of the harvest methods that are likely to be chosen as the plan is implemented. The 2006 Forest Plan does not mandate that any particular harvest method be applied to any specific project. The choice of when, where and how to harvest timber is deferred as a future site-specific decision.

Adaptive management is an important part of ensuring compliance with the NFMA. Adaptive management is a management philosophy that runs throughout the 2006 Forest Plan. Recognizing that perfect information and resource inventories are impossible in an imperfect world, we anticipate that new scientific information and changes in resource conditions will require “course corrections” during the 10-15 year life of this plan. The 2006 Forest Plan is dynamic and will respond to new information.

The 1982 Planning Rule requires identification of the alternative that maximizes the present net value (PNV) and how the selected alternative compares to this alternative. According to the economic analysis displayed in the Final EIS, Alternative 1, because of the greater number of acres suitable for commercial timber harvesting, maximizes PNV. The Selected Alternative, Alternative 3 Modified has the second highest PNV of the three alternatives considered. Appendix B of the Final EIS includes a detailed description of the economic analysis.

Endangered Species Act

The Endangered Species Act creates an affirmative obligation "...that all Federal Departments and agencies shall seek to conserve endangered and threatened (and proposed) species" of fish, wildlife, and plants. This obligation is further clarified in the national Interagency Memorandum of Agreement (dated August 30, 2000) which states our shared mission to "...enhance conservation of imperiled species while delivering appropriate goods and services provided by the lands and resources."

The Selected Alternative does the best job of protecting threatened, endangered and sensitive species. The 2006 Forest Plan was developed with our responsibilities concerning conservation of listed species (section 7(a)(1) foremost in mind. Based upon consultation with the US Fish and Wildlife Service, their concurrence with our Biological Assessment, and the non-jeopardy finding in their Biological Opinion, I have determined that the 2006 Forest Plan is in compliance with the Endangered Species Act.

Forest and Rangeland Renewable Resources Planning Act (RPA) and Forest Service Strategic Plan, 2004-2008

The 1982 Planning regulations (36 CFR 219.12 (f) (6)) require that at least one alternative be developed that responds to and incorporates the Resources Planning Act Program's tentative

resource objectives for each National Forest as displayed in Regional Guides. The Forest Service Strategic Plan 2004 – 2008, in lieu of a Resource Planning Act Program, was completed in accordance with the Government Performance Results Act (GPRA) and the Interior and Related Agencies Appropriations Act. While forest plans should be consistent with the broad guidance provided in the Strategic Plan, and should consider the information provided by the Resource Planning Act Assessment along with other available and relevant science, neither the Strategic Plan nor the Assessment contain recommended outputs to incorporate in specific forest plans. I find the 2006 Forest Plan to be in compliance with the Forest Service Strategic Plan, and to contribute towards its goals, which are:

Reduce the risk from catastrophic wildland fire

Restoring fire regimes using prescribed fire will be used as a tool to enhance ecosystem resiliency and to maintain desired fuel levels. Fire will be actively suppressed where necessary to protect life, investments, and resources. Firefighter and public safety will be the first priority in every fire management activity.

Reduce the impacts from invasive species

The Forest will remain as free of non-native invasive species (NNIS) as reasonably possible. While some invasive species may occasionally be found on the Forest, occurrences will not be so widespread as to cause negative impacts to native communities. The 2006 Forest Plan has an objective to minimize adverse effects of NNIS on National Forest resources and incorporates NNIS control into goals and objectives for ecosystem management, education, and relationships with partners and community organizations.

Provide outdoor recreation opportunities

The 2006 Forest Plan provides for a diverse range of high-quality and sustainable recreational opportunities that complement those off National Forest System lands. The

2006 Forest Plan contains specific standards and guidelines to provide for recreation use while sustaining ecological processes and functions.

Help meet energy resource needs

The 2006 Forest Plan provides direction that allows for energy development within the capabilities and sensitivities of specific landscapes across the Forest. Federal lands on the FLNF would not be available for oil and gas leasing, pursuant to Section 370 of the Energy Policy Act of 2005. As demand for renewable energy grows, it is likely that over the short-term there will be increased pressure on National Forest System lands to provide wind power sites. The Forest will protect, improve, or mitigate energy development impacts on watersheds, riparian and aquatic habitats, visual integrity, and threatened, endangered, and sensitive species habitats.

Improve watershed condition

Forest watersheds, streams, water dependent resources, and designated uses will be protected and restored by implementing practices designed to maintain or improve conditions. Streams will be managed at proper functioning condition to dissipate stream energy associated with high water flows, thereby decreasing erosion, reducing flood damage, and improving water quality. Watersheds will continue to provide high quality water for public water supplies, recreational activities, aquatic biota such as fish, and other purposes.

Mission related work that supports Forest Service Goals

The 2006 Forest Plan was developed consistent with the overall laws and policies that guide the management of National Forests. It provides for human uses of the environment as well as sustaining ecological processes for future generations. It also includes standards and guidelines to protect, improve, or mitigate impacts to watersheds, riparian and aquatic habitats, visual integrity, and threatened, endangered, and sensitive species habitats. Monitoring and evaluation are incorporated to

ensure an adaptive management approach that is consistent with land capability, scientific understanding, and expected outputs.

Healthy Forest Restoration Act

In 2003, the Healthy Forest Restoration Act (HFRA) was signed into law. While the FLNF is not dominated by fire-dependent ecosystems, I find the 2006 Forest Plan is consistent with the HFRA in that it provides for the protection of old growth when conducting projects covered by the HFRA, provides for public involvement in assessing and conducting hazardous fuels reduction projects, and prioritizes areas for hazardous fuels reduction based on condition class and fire regime. The 2006 Forest Plan allows for appropriate responses to insect and disease concerns based on its overall land allocation process. The 2006 Forest Plan also emphasizes protection and enhancement of riparian areas and watershed health as directed under the HFRA.

Environmental Justice (Executive Order 12898)

Executive Order 12898 (59 Federal Register 7629, 1994) directs federal agencies to identify and address, as appropriate, any disproportionately high and adverse human health or environmental effects on minority populations and low-income populations. I have determined, from the analysis disclosed in the Final EIS, that the 2006 Forest Plan is in compliance with Executive Order 12898.

My conclusion, based upon the analysis in the Final EIS, is that the risk of disproportionate effects on minority or low-income populations resulting from the programmatic 2006 Forest Plan is very low.

National Historic Preservation Act

The 2006 Forest Plan is a programmatic action and does not authorize any site-specific, ground-disturbing activity.

Projects undertaken in response to direction of the 2006 Forest Plan will fully comply with the laws and regulations that ensure protection of cultural resources. The 2006 Forest Plan contains direction for cultural resource management, including direction to integrate cultural resource management with other resource management activities.

Several other laws apply to the preservation of cultural resources on federal land. Since the 2006 Forest Plan does not authorize ground-disturbing activities, consultation with the New York State Historic Preservation Offices (SHPOs) under the NHPA was not required. Tribal consultation has taken place during the development of this 2006 Forest Plan.

It is my determination that the 2006 Forest Plan complies with the National Historic Preservation Act and other statutes that pertain to the protection of cultural resources.

Government-to-Government Relations with Native American Tribal Government, 1994

These policies support the Forest Service actions in establishing mutual and beneficial partnerships with American Indians and Alaska Natives and honoring treaty obligations. The 2006 Forest Plan is consistent with Forest Service policy in Forest Service Manual section 1563.

Migratory Bird Treaty Act and Executive Order 13186

The 2006 Forest Plan is a programmatic framework guiding future decision-making and is permissive in nature. As such, it does not authorize, fund, or implement any site-specific activity. The 2006 Forest Plan focuses on enhancing ecological health and plant and animal community diversity to the benefit of wildlife species, including migratory birds. The management direction in the 2006 Forest Plan is in compliance with the Migratory Bird Treaty Act and was developed with full consideration of the broad objectives and intent of Executive Order 13186.

Data Quality Act

The USDA Data Quality Act and its federal guidelines concern the quality of information used in the work of federal agencies. The 2006 Forest Plan and its accompanying Final EIS were developed by an interdisciplinary team of agency scientists and resource specialists using the best available scientific information. Data quality was a paramount concern, as the objectivity and quality of scientific data is vital to development of a realistic resource plan. The interdisciplinary team was aware of USDA information guidelines and devoted considerable effort towards ensuring that the information used in Plan development was credible and appropriate for the context. Scientific information was solicited from other federal agencies, state resource agencies, and other recognized experts and scientists. Although the USDA Data Quality Act guidelines are not intended to be legally binding regulations, they were carefully considered during development of the 2006 Forest Plan and Final EIS.

USDA Forest Service Travel Management Rule

The Travel Management Rule (70 Federal Register 68264), dated November 9, 2005 (36 CFR Parts 212, 251, 261, and 295) revised regulations regarding travel management on National Forest System lands to clarify policy related to motor vehicle use including off-highway vehicles. This rule prohibits the use of motor vehicles off the designated system or use inconsistent with those designations once designations are published on a Motor Vehicle Use Map. No final agency motor vehicle travel management decisions are being made with the 2006 Forest Plan. Further site-specific analysis will be required, as appropriate, when changing the transportation system in designating those roads, trails and areas open to motorized uses. Changes will then be incorporated into the Motor Vehicle Use Map.

Energy Policy Act of 2005

Section 370 of the Energy Policy Act of 2005 withdraws all federal land within the boundary of the Finger Lakes National Forest in the State of New York from oil and gas leasing. This includes:

- (1) All forms of entry, appropriation, or disposal under the public land laws
- (2) Disposition under all laws relating to oil and gas leasing.

The 2006 Forest Plan is consistent with the Energy Policy Act of 2005.

Other Laws, Policy, and Regulations

I also find that the 2006 Forest Plan and Final EIS are consistent with the following body of policy and regulation: the National Energy Policy Act (Executive Order 13212 of May 18, 2001), the Clean Air Act, the Clean Water Act, the Energy Requirement and Conservation Potential, Executive Order 13112 on Invasive Species, Secretary of Agriculture's Memorandum #1827 on Prime Farmland, Rangeland and Forestland, Executive Order 1099 on the Protection of Wetlands and Floodplains, and the existing body of national direction for managing National Forests.



Implementation, Monitoring, and Evaluation

Implementation Begins in 30 Days

The 2006 Forest Plan becomes effective 30 calendar days after the Notice of Availability of the Record of Decision and Final EIS is published in the Federal Register (36 CFR 219.10 (c)(1), 1982 planning rule).

Transition from the 1987 Forest Plan to the 2006 Forest Plan

2006 Forest Plan direction will apply to all projects that have decisions made on or after the effective date of this Record of Decision. Because this was a revision of the 1987 FLNF Plan, many aspects and much management direction from the 1987 Forest Plan are carried forward relatively unchanged into the 2006 Forest Plan. Therefore, many existing projects and ongoing actions that were consistent with the 1987 Forest Plan will continue to be so with the 2006 Forest Plan.

Many management actions decided prior to the issuance of the Record of Decision are routine and ongoing. Those decisions will generally be allowed to continue unchanged because the projected effects of these actions are part of the baseline analysis considered in the Final EIS and Biological Assessments for the revision.

The National Forest Management Act requires that “permits, contracts and other instruments for use and occupancy” of National Forest System lands be “consistent” with the Forest Plan (16 U.S.C. 1640(i)). In the context of a 2006 Forest Plan, the National Forest Management Act specifically conditions this requirement in three ways:

- These documents must be revised only “when necessary”
- These documents must be revised as “soon as practicable”
- Any revisions are “subject to valid existing rights”

As the decision maker, I have the discretion, on a case-by-case basis, to modify preexisting authorizations to bring them into compliance with the 2006 Forest Plan standards and guidelines. I find that the statutory criteria of “as soon as practicable” and excepting “valid existing rights” useful in exercising that discretion. There are no existing timber sales under contract on the FLNF. The decision is left to the Forest Supervisor to determine whether to modify decisions authorizing timber sales not currently under contract.

Other use and occupancy agreements are substantially longer than timber contracts, and will be reviewed to determine whether or when the Forest Supervisor should exercise discretion to bring them into compliance with the 2006 Forest Plan. Recent project decisions that have not yet been implemented will be reviewed and adjusted by the decision maker, if necessary, to meet the direction found in the 2006 Forest Plan.

Key Considerations in Plan Implementation

The 2006 Forest Plan provides broad, strategic, landscape-level direction for managing the FLNF. Working toward the desired conditions and achieving the objectives in the 2006 Forest Plan will be accomplished through site-specific project decisions, using the appropriate analyses and processes to meet the requirements of the National Environmental Policy Act and other laws and regulations. The 2006 Forest Plan itself makes no project-level decisions.

One final agency decision is made, which is to prohibit horseback use off pastures and designated trails and bicycle use off designated trails. The EIS includes documentation of adverse effects of unrestricted horseback and bicycle use, which supports this decision. The public was informed, alternatives were considered, and an opportunity to provide public comment was provided. No further NEPA analysis or disclosure will be required to implement this decision and any needed closure orders will be issued after the effective date of the revised plan.

The Final EIS for the 2006 Forest Plan considered and evaluated the total management program that likely would be necessary to implement the objectives of the 2006 Forest Plan. It also dealt with those issues and concerns relevant at a larger landscape or Forest-wide level. Therefore, in essence, the Final EIS is a large cumulative effects document because it analyzed the broad effects of the management direction that may be expected in the next decade (and longer term), and discloses the Forest-wide effects of those activities considered in total.

By tiering to the 2006 Forest Plan Final EIS, we will make use of this Forest-wide analysis to streamline our environmental analyses for project-level decisions. We will not revisit landscape or Forest-wide scale issues and effects, because those effects have already been considered and disclosed in the Final EIS. This has applicability to a wide range of findings that are appropriately done at the Forest-wide level. Analysis and findings related to species viability and threatened species should be greatly simplified when projects are within the parameters of the 2006 Forest Plan and Final EIS. Project level analysis will not revisit Plan decisions, but rather will determine which management techniques (if any) and mitigations (beyond those in the 2006 Forest Plan) are best suited to each individual project.

Future Changes to the Plan

Monitoring and Evaluation

Monitoring is designed to answer questions regarding implementation of the 2006 Forest Plan. Monitoring and evaluation will focus on decisions made in this Record of Decision. Evaluation reports will display how Forest Plan decisions have been implemented, how effective the implementation has proved to be in accomplishing desired outcomes, and what we learned along the way. This will allow a check and review of the validity of the assumptions upon which this decision is based.

The Monitoring Framework in Chapter 4 of the 2006 Forest Plan ties well with the strategic nature of forest plans, with increasing specificity

as the Plan is stepped down to specific projects. More specific monitoring methods, protocols, and analytical procedures will be included in a monitoring and evaluation implementation guide, as needed.

Amending the Forest Plan

The revision of the Forest Plan is shaped by a central idea: how we manage the Forest should adapt to changes in how we understand the ecological, social, and economic environments. In the Forest Service, we call this adaptive management. The 2006 Forest Plan is well structured for adaptive management to occur, because it does a good job of describing the desired conditions toward which we will strive as we implement the Plan. In fact, those desired conditions are the very basis for the projects we will accomplish during the life of the Plan.

In making the decision on the 2006 Forest Plan, I am also deciding that this Plan will be adaptive and subject to change as we monitor, learn, and gain new information. I hope that you choose to be partners with us in our monitoring, learning, and adapting. The revision of the Finger Lakes National Forest Plan has taken many years, and has incorporated much that has been learned since the 1987 Forest Plan and even as the 2006 Forest Plan was being developed. This Plan can still be improved as we learn more about complex ecosystem functions and processes. It is not “cast in stone” to be unquestioningly adhered to for the next 10 to 15 years. We will track progress toward reaching the desired conditions identified in the Plan, and modify or redesign management actions in response to that progress. If a particular management strategy, technique, or practice is applied, its results will be monitored to determine if the desired effect is occurring. If not, a new or modified strategy will be developed, and implemented. That new strategy will also be subject to monitoring, evaluation, and, if needed, modified.

Changes to the Plan will generally take the form of plan amendments or corrections, and will follow the appropriate procedures as specified in NFMA and its regulations.

Administrative Appeal of My Decision

This decision is subject to appeal pursuant to the provisions of 36 CFR 217.3. A written notice of appeal must be filed with the Chief of the Forest Service within 90 days of the date that the legal notice of this decision appears in the *Milwaukee Journal Sentinel*. Appeals must be sent to:

Regular Mail

USDA Forest Service
Ecosystem Management Coordination
1400 Independence Ave., SW
Mailstop Code 1104
Washington DC, 20250-1104

Express Mail

USDA Forest Service
Ecosystem Management Coordination
201 14th Street, SW, 3rd Floor, Central Wing
Washington DC 20024
Phone: (202) 205-0895

Electronic Mail

Appeals may also be filed via e-mail to: appeals-chief@fs.fed.us. The use of Microsoft Word (.doc), WordPerfect (.wpd) or Adobe (.pdf) is recommended.

A copy of the appeal must simultaneously be sent to the deciding officer:

Regional Forester of the Eastern Region
USDA Forest Service
Eastern Region
626 East Wisconsin Avenue
Milwaukee, WI 53202

If filing via electronic mail, simultaneous electronic filing to the deciding officer should be sent to: appeals-eastern-regional-office@fs.fed.us

Any notice of appeal must be fully consistent with 36 CFR 217.9 and include at a minimum:

- A statement that the document is a Notice of Appeal filed pursuant to 36 CFR Part 217
- The name, address, and telephone number of the appellant
- Identification of the decision to which the objection is being made
- Identification of the document in which the decision is contained, by title and subject
- Date of the decision, and name and title of the deciding officer
- Identification of the specific portion of the decision to which objection is made
- The reason for the appeal, including issues of fact, law, regulation, or policy
- Identification of the specific change(s) in the decision that the appellant seeks

Contacts

More information on this decision, the 2006 Finger Lakes National Forest Land and Resource Management Plan, and the Final Environmental Impact Statement can be obtained by contacting:

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Electronic copies of the Final EIS, the Executive Summary, the 2006 Forest Plan, and the Record of Decision can be obtained at: <http://www.fs.fed.us/r9/gmfl>



RANDY MOORE
Regional Forester

April 11, 2006

Date

